IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 597 of 2006 (M/B)

Central Himalayan Land Development Co. Ltd.,
Through its Vice President Sri D.K. Yadav,
S/o Late N.S. Yadav,
Presently R/o Gajjar, Post Motiapaathar,
District Almora. …….. Petitioner.

Versus

1. State of Uttaranchal,
through Divisional Forest Officer,
Nainial.
2. Divisional Forest Officer,
Nainital, Forest Division,
Nainital.
3. Forest Ranger, Bhowali,
District Nainital.
4. Sub Divisional Officer,
Forest Division, Nainital.
5. Sri Umesh Chandra Joshi,
Sub Divisional Officer,
Forest Division, Nainital. ……. Respondents.

Mr. Anurag Bisaria, Advocate for the petitioner.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla, C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Anurag Bisaria, the learned counsel for the petitioner is heard on admission.

2. The petitioner has filed this writ petition for the following reliefs:

> "(1) Issue a writ, order or direction in the nature of certiorari for quashing the notice dated 26.04.2006 (Annexure no.1) issued by the respondent no.3.
>
> (ii) Issue the writ order or direction in the nature of mandamus commanding the respondents not to proceed in personas of the notice dated 24.04.2006 without supplying the relevant documents to the Petitioner.

(iii) Mould or grant any relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

3. The petitioner is aggrieved of the notice (Annexure No. 1) dated 26.04.2006, whereby the Forest Range Officer, Bhowali has asked the petitioner to appear and produce the evidence in support of his claim before the authorities.

4. In our opinion, it would be appropriate for the petitioner to appear before the said authority and produce the material in support of his claim.

5. As we do not find any good ground for interference at this stage, the writ petition fails and is, hereby, dismissed summarily.

6. With the above order CLMA No. 5994 of 2006 also stands dismissed.

(Prafulla, C. Pant, J.) 17.05.2006

(Rajeev Gupta, C.J.) 17.05.2006

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